

**The Right to a Healthy Environment:
Highlights of the Proposed Environmental
Protection Act**

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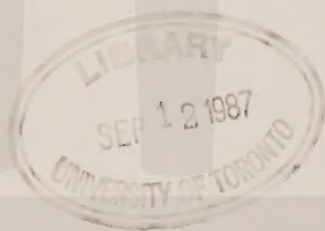
The Right to a Healthy Environment

Highlights of the Proposed Environmental Protection Act

*The Honourable Tom McMillan
Minister of the Environment*

Canada

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About 100,000 chemicals are now in commercial use and nearly 1,000 are introduced every year.

There is concern that chemicals dispersed into the environment may be eroding the delicate balance on which human life depends.

The health of our environment is vital to our survival and must not be adversely affected by chemicals.

The proposed Environmental Protection Act provides the legislative framework for the better management of chemicals, a comprehensive life-cycle approach that emphasizes prevention, while at the same time, enabling existing problems to be handled more effectively.

In this approach, chemicals will be dealt with at all stages in their life cycle, from research and development to introduction, through manufacture, transportation, distribution, use, and, ultimately, to disposal. This life-cycle approach will cover both new and existing chemicals.

New chemicals will be tested and evaluated before they are introduced. Industry will be required to show that new chemicals can be safely introduced.

More stringent evaluation and control will be applied to existing chemicals. This will be accomplished through strengthened provisions of the existing Environmental Contaminants Act, which will be integrated into the new legislation and through better enforcement and cooperation between different levels of government, resulting from the establishment of national standards, guidelines and objectives.

Protection of the environment is a shared responsibility involving all levels of government, industry and consumers. The proposed Environmental Protection Act provides powers and context within which governments, industry and consumers can work together to assure better management of chemicals.

Highlights of the Environmental Protection Act:

Protects and enhances the quality of the natural environment, by the control through this and other Acts of Parliament, of all phases of the life cycle of chemicals that pose a significant danger to human life.

Requires proper testing and assessment of chemicals.

Provides controls on the release of chemicals which might occur in the stages of manufacture, distribution, use or disposal.

Authorizes the Minister to take direct action in cases where urgent action is required.

Provides leadership in the establishment of nationally consistent standards of environmental quality.

Introduces sanctions and penalties that reflect the serious effects of environmental pollution.

Provides for regulations for the protection of the environment applicable to federal lands, waters, works and undertakings.

Provides for guidelines for use by departments, boards and agencies of the Government of Canada in the exercise of their powers and in carrying out their duties.

New Powers of the EPA

- . Controls on all chemical life-cycle components;
- . Expanded inspection and investigation;
- . Increased information gathering;
- . Adequate testing of new chemicals;
- . Immediate action in urgent situations;
- . Recall orders;
- . Clean-up orders;
- . Notification of exports.

Compliance / Enforcement

- . Fair, consistent, predictable;
- . Encourage compliance;
- . Prosecute offenders vigorously.

Penalties in the EPA

- . Fines up to \$1 million per day;
- . Corporate officers liable for damage;
- . Up to 5 years imprisonment;
- . Statute of limitations (up to 2 years);
- . Clean-up or pay for clean-up;
- . Pay cost of investigation/prosecution;
- . Post compliance bond.

Consultation

- . Public distribution of Draft Bill, December 1986.
- . Consultation meetings start January 1987.
- . Analysis of comments, Spring 1987.
- . Revision of Draft Bill, Spring 1987.
- . Introduction of Bill for debate in Parliament.



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